

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	4:93CR3059
)	
Plaintiff,)	
)	
vs.)	MEMORANDUM
)	AND ORDER
)	
RANDALL D. TOMLINSON,)	
)	
Defendant.)	

Defendant has filed a pro se “motion to set aside sentence under United States v. Booker, 125 S.Ct. 738 (2005),” which the court will treat as a successive motion to vacate, set aside, or correct Defendant’s sentence under 28 U.S.C. § 2255.

Because certification has not been granted by the Court of Appeals, as required for the filing of a second or successive § 2255 motion, this court does not have jurisdiction to entertain Defendant’s motion. Accordingly,

IT IS ORDERED that Defendant’s motion to set aside sentence (filing 141) is denied.

January 24, 2006.

BY THE COURT:

s/ Richard G. Kopf
United States District Judge